

* Section 9 (b), Bengal Act 2 of 1881.

Section 10, Madras Act III of 1879.

[New.]

[New.]

Section 11, Madras Act III of 1879.

Second.—The name and residence of the owner and the place where the carriage is kept.*

Third.—The number of horses or other animals to be employed in drawing such carriage and, if the carriage is drawn or pushed by men, the number of men to be so employed.

Fourth.—The number of passengers such carriage is licensed to carry.

Fifth.—The date of the license.

12. A fee shall be paid to the Commissioner of Police for each license in accordance with the following scale:—

	Rs. S. P.
(a) For every four-wheeled carriage drawn by two or more horses licensed to carry more than six passengers	3 0 0
(b) For every other four-wheeled carriage drawn by two horses	2 0 0
(c) For every other four-wheeled carriage drawn by one horse or two ponies under 14 hands in height or bullocks	1 0 0
(d) For every two-wheeled carriage drawn by one horse	0 8 0
(e) For every two-wheeled carriage drawn by one or more bullocks	0 4 0
(f) For every rickshaw, pedicab, palankeen or other carriage drawn or pushed by a man	1 0 0

13. The Commissioner of Police may suspend for each period as he thinks fit any license of any carriage or any vehicle thereon if it is unfit

Commissioner of Police may suspend license of any carriage or vehicle if it is unfit to be used.

14. (1) Whenever any charge shall take place in the proprietorship of a hackney carriage, the owner thereof shall within one week from the date of such change give to the Commissioner of Police notice in writing of such transfer, specifying the number of the carriage and the name and address of the person to whom the carriage has been transferred.

(2) Every such owner who neglects to give such notice shall be liable for every such offence to a fine not exceeding ten rupees or imprisonment not exceeding ten days.

(3) If the person to whom such carriage shall have been transferred desires to use it as hackney carriage, he shall before so using it forward to the Commissioner of Police notice in writing of such transfer, and shall include in such notice the particulars specified in clause 8.

If any such person before forwarding such licence and giving notice as aforesaid shall use such vehicle as a hackney carriage, he shall be liable to a fine not exceeding five rupees for every day during which he shall so use the same.

15. Whoever any person licensed to keep a hackney carriage under section 2 of this Act, shall change his residence, or the place where such carriage is kept, he shall within one week from the date of such change forward his licence and give to the Commissioner of Police a notice in writing signed by him, specifying such new residence or place.

Every such person who shall neglect to forward his licence and give such notice shall be liable for every such offence to a fine not exceeding twenty rupees.

16. The Commissioner of Police, on receiving the notice specified in either of the two last preceding sections, shall make the necessary alteration in the register and the licence and return the licence; and a fee of two annas shall be payable in respect thereof.

17. Whoever keeps or is the proprietor of any hackney carriage, which has not been duly licensed under this Act, shall be liable to a fine not exceeding rupees fifty for each day on which such offence is committed.

Any Police officer may seize and remove to a police station such hackney carriage, together with the animals drawing the same.

If the hackney carriage or animals so seized be not cleaned, and if any fee imposed be not paid, together with any costs or charges incurred, within ten days from the date of such

Section 11, Madras Act III of 1879, and section 12 (1), Bengal Act 3 of 1891.

[New.]

Section 12, Madras Act III of 1879

Section 12, Madras Act III of 1879.

Section 12 (1), Bengal Act 3 of 1891.

[New.]

Section 13, Madras Act III of 1879.

[New.]

Section 14, Madras Act III of 1879.

[New.]

Section 15, Madras Act III of 1879.

seizure or disposition of such fine respectively, such carriage, and the animals seized therewith, may be sold by auction, and the proceeds applied to the payment of the fine and all costs and charges incurred on account of the detention and sale.

The surplus, if any, if not claimed by the owner or keeper within a further period of twenty-one days shall be forfeited to Government.

Section 16, Madras Act III of 1879.

18. Whoever drives in any hackney carriage any animal ^{which is not so secured} as to be under the control of the driver shall be liable for every such offence to a fine not exceeding fifty rupees, or in default of payment to rigorous imprisonment for a period not exceeding one month.

Section 17, Madras Act III of 1879.

19. If any hackney carriage shall be let or used for hire ^{without having a proper plate * affixed or bearing a legible inscription as prescribed by section 3, the owner thereof shall be liable, for every such offence, to a fine not exceeding rupees twenty.}

* Section 17, Bengal Act 2 of 1891.

DRIVER'S LICENSE.

Section 18, Madras Act III of 1879.

20. It shall be lawful for the Commissioner of Police to grant a license to act as driver of any hackney carriage to any person who shall apply for the same, and to whom it may seem proper to the said Commissioner to grant it.

Every such license shall contain—

† Section 21 (2) (4), Bengal Act 2 of 1891

the number of the license;
the name, father's name, place of abode and age of the person to whom such license is granted;

the description of carriage and animals such person is licensed to drive or drag ‡ or push;

the date on which the license was granted;
and shall bear the signature of the Commissioner of Police.

The year of registration shall commence on the 1st day of April of each year and shall terminate on the thirty-first day of March of the year following. For every such license three shall be paid a fee of two 5 rupees.

§ Section 21 (4), Bengal Act 2 of 1891.

Section 19, Madras Act III of 1879.

21. The particulars of every license which shall be granted under the provisions of section 20 of this Act shall be registered

[8 Nov.]

[†] Particulars of license to be registered and copies given on payment of fee.

by the Commissioner of Police; and every person supplying shall, at all reasonable times, be furnished with a certified copy of such particulars on payment of a fee of two annas.

22. If at any time ten days after the time when a license should have been obtained any person acts as the driver of a hackney carriage without having a license in force for the time being, or, having a license, fails to carry it with him when driving, dropping or pushing a hackney carriage, or transfers or lends the same or allows it to be used by any other person, he shall be liable, for every such offence, to a penalty not exceeding twenty rupees, and, in default of payment, to rigorous imprisonment for a period not exceeding one month.

23. The Commissioner of Police may suspend for such period as he thinks fit the license of the driver of a hackney carriage whenever it shall appear to him that such driver is unfit to be so employed.

24. The owner of a hackney carriage who shall knowingly suffer any person, not duly licensed under this Act, to act as driver of such carriage shall be liable, for every such offence, to a penalty not exceeding fifty rupees.

Provided that such owner and such unlicensed driver shall be subject to all the provisions of this Act, for any act done or omitted to be done by such driver during such employment in like manner as if such driver had been duly licensed.

DRIVER'S BADGE.

25. The Commissioner of Police shall, at the time of granting a license to any driver of a hackney carriage, furnish him with a metal plate or badge punched or marked with a number corresponding with the number of his license.

Every driver to whom such badge is delivered, shall, at all times while acting as driver, or while attending before any Magistrate, carry such badge exposed to view.

In case any such driver shall omit to wear such badge exposed to view while acting as driver or attending before a Magistrate, he shall be liable to a penalty not exceeding ten

Section 20, Madras Act III of 1872.

[New.]

Section 23, Bengal Act 2 of 1894.

Section 9, Bombay Act VI of 1863.

Section 21, Madras Act III of 1872.

Section 22, Madras Act III of 1872.

Section 36, Madras Act III of 1879.

offence to a fine not exceeding ten rupees, or imprisonment for a period not exceeding ten days.

39. The driver of every hackney carriage shall carry in ^{reasonable quantity of luggage to be carried} or upon such carriage without additional charge such quantity of luggage for every person hiring the same as may be prescribed in the by-laws under this Act.

Section 37, Madras Act III of 1879.

40. Any owner, person in charge of ^{any hackney carriage} or driver who without ^{sufficient} reason

Section 38, Madras Act III of 1879

refuses to let such carriage for hire or demands more than the proper fare to which he is legally entitled shall be liable, for every such offence, to a fine not exceeding fifty rupees, and in default of payment to simple or rigorous imprisonment for a period not exceeding one month, and to pay each further sum by way of compensation to the party complaining as to the Magistrate who hears the case may seem fit; and such further sum shall, in default of immediate payment, be levied in the mode provided for the levying of fines under this Act.

Section 37, Madras Act III of 1879.

Section 35, Bengal Act 2 of 1891.

Section 37, Madras Act III of 1879.

Section 36, Bengal Act 2 of 1891.

41. Every driver of a hackney carriage,

^{Finding in case of who} (a) is drunk during his employment; ^{drunkenness, violence, &c.}

Section 34 (c), Bengal Act 2 of 1891.

(b) makes use of insulting or abusive language or gesture;

(c) stands elsewhere than at some stand or other place appointed for the purpose or loiters for the purpose of being hired in or upon any public street, road or place;

Section 36, Madras Act III of 1879.

(d) wilfully obstructs, or hinders, the driver or attendant of any hackney carriage in taking up or setting down any person into, or from, such other carriage;

(e) wrongfully prevents or endeavours to prevent the driver or attendant of any other hackney carriage from being hired;

(f) refuses to admit and carry in such carriage the number of passengers the carriage is licensed to carry;

(g) carries more than such number of passengers;

(h) refuses to carry such quantity of luggage as is provided by the by-laws under this Act;

Section 69, English Town Police Clauses Act, 18 and 11 Vic., c. 89.

(i) being hired, permits or suffers any person to be carried in or upon or about such hackney carriage during such hire, without the consent of the person hiring the same;

(f) being hired by time or distance, before he has been discharged by the hirer, willfully deserts from the hiring;

(g) hires for hire with any carriage or animal which shall at the time be unfit for public use;

(h) without previously disinfecting it knowingly uses for hire any carriage used for the conveyance of any person suffering from any contagious or infectious disease, or the corpse of any person who has died of any such disease;

shall be liable for every such offence to a fine not exceeding fifty rupees, and, in default of payment, to rigorous imprisonment for a period not exceeding two months.

42. When a complaint is made before a

Provision of summary jurisdiction to be exercised in respect of offences committed by persons in attendance.

Magistrate against the driver or attendant of a hackney carriage for any offence committed by him against the provisions of this Act, such Magistrate may summons the owner of the carriage personally to appear and to produce the driver or attendant, as the case may be, of such carriage to answer the complaint.

If such owner after being duly summoned neglects or refuses, without reasonable excuse, to appear personally or to produce the driver or attendant according to such summons he shall be liable to a fine not exceeding fifty rupees, and continue to be so from time to time as often as he shall be so summoned until such driver be produced by him.

Provided that if such owner, without reasonable excuse, neglects or refuses to appear and produce such driver at the second or any subsequent summons requiring him to do so, it shall be lawful for the Magistrate to proceed to hear and determine the complaint in the absence of the owner and driver or either of them.

43. In case of any dispute between the

Dispute here to be tried.

hirer and driver of any hackney carriage, the hirer may require the driver, and the driver or attendant may require the hirer to proceed forthwith to the nearest Magistrate's Court; and the then sitting Magistrate shall hear and determine the dispute in a summary way.

If no Magistrate be then sitting, either party may require the other to proceed to the nearest Police officer who shall enter

[New.]

Section 39, Madras Act III of 1879.

Section 35 (3), Bengal Act 2 of 1891.

Section 40, Madras Act III of 1879.

the complaint in his diary and require the parties to appear before the Magistrate at his next sitting.

On failure of either party to attend such sitting, the Magistrate if he thinks fit may decide the case ex-parte.

Section 41, Madras Act III of 1879.

44. If any person who has hired a hack-
ney carriage, refuses
to pay to the owner,
attendant or driver
thereof, on demand, the fare payable
under this Act, it shall be lawful for the
Magistrate who hears the case to order
payment of such fare, and also of such
compensation for loss of time as shall seem
reasonable, and in default of immediate
payment such fare and compensation may
be recovered in the same way as a
debt due under this Act.

Section 39 (1), Bengal Act 2 of 1891.

If any person who has used any such
carriage attempts
fraudulently to evade
payment of the legal
fare, or any portion thereof, he shall be
liable, for every such offence, to a fine not
exceeding fifty rupees or rigorous imprison-
ment for a period not exceeding two
months, in addition to the payment of
such fare and compensation as hereinbefore
mentioned.

* Section 39 (2), Bengal Act 2 of 1891.

Section 42, Madras Act III of 1879.

† Section 40 (1), Bengal Act 2 of 1891.

45. (1) Every person who shall malici-
ously or knowingly
tear, destroy, deface,
obliterate, or remove
any carriage book, table of fares or
driver's badge which shall have been
granted under the provisions of this Act,
shall be liable for every such offence to a
fine not exceeding twenty rupees, or in
default of payment to rigorous imprison-
ment for a period not exceeding one month.

Section 40 (2), Bengal Act 2 of 1891.

(2) Any portion of the fine may be
awarded to the person to whom such
carriage book, table of fares, or driver's
badge belongs.

Section 43, Madras Act III of 1879.

46. Every person using a hackney
carriage who shall
wilfully injure the
same shall be liable
for every such offence to a fine not
exceeding Rs. 20, or in default of payment
to rigorous imprisonment, for a period
not exceeding one month, and shall also
pay to the owner such compensation for
the injury as the Magistrate may direct.

47. In case of dispute as to the fare to be paid collected, according to distance, any book signed by the Commissioner of Police shall be taken to be conclusive evidence of all the fares and distances therein stated.

48. (1) It shall be lawful for a registered hackney carriage to ply for hire as a stage carriage.

(2) The owner or driver of a carriage so plying for hire or hired as a stage carriage shall not be subject to the provisions of section 54 of this Act, but shall be entitled to demand and receive for the hire of such carriage such fares as shall be agreed upon between him and the several hirers respectively.

(3) All the other provisions of this Act shall be applicable to the case of a hackney carriage plying as a stage carriage so far as the same shall be applicable in each particular instance.

49. The Commissioner of Police shall from time to time appoint a sufficient number of public stands for hackney carriages.

Every public stand so appointed shall have a board placed in a conspicuous place on the same containing a notice in the English and Tamil or other vernacular languages stating that the stand is a public stand under this Act, and the number of carriages that shall stand upon it.

MISCELLANEOUS.

50. The owner, driver, or attendant of every hackney carriage wherein any property shall be left by any person shall, within twenty-four hours, carry such property to the nearest police station and shall there deposit it with the Inspector or other officer on duty and demand a receipt for it duly signed by the officer taking charge of the same.

Any such owner, driver, or attendant neglecting default herein shall be liable, for

Section 45, Madras Act III of 1879.

* Section 13, Bengal Act 2 of 1891.

Section 46 (1), Bengal Act 2 of 1891.

Section 46 (2), Bengal Act 2 of 1891.

Section 46 (3), Bengal Act 2 of 1891.

Section 46, Madras Act III of 1879.

Section 46, Madras Act III of 1879.

† Section 59 (1), Bengal Act 2 of 1891.

Section 26, Bengal Act 2 of 1891.

Section 26, Bengal Act 2 of 1891.

Section 26, Madras Act III of 1879.

Section 23, Madras Act III of 1879, and section 27 (2), Bengal Act 2 of 1891.

Section 26, Madras Act III of 1879.

rupees, and in default of payment to rigorous imprisonment for a period not exceeding fourteen days.

Whoever the number on any badge during the term of the license becomes indistinct or obliterated, and also whenever any badge is lost or stolen, the person to whom the license relating to any such badge has been granted shall deliver such badge or notify its loss and shall produce such license to the Commissioner of Police, and such person shall then be entitled to have a new license and badge delivered to him upon payment of eight annas.

Provided that if any badge which is proved to have been lost or stolen shall afterwards be recovered it shall be forthwith delivered to the Commissioner of Police and every person in whose possession any such badge has come and who refuses or neglects for three days to deliver it to the said Commissioner of Police and also every person licensed under the authority of this Act who uses or wears the badge granted to him after the writing thereon has become indistinct or obliterated shall for every such offence be liable to a fine not exceeding ten rupees or imprisonment not exceeding ten days.

26. Upon the expiration or other determination of any license, whether by substitution or cancellation, granted to a driver under this Act, such driver shall deliver such license and his badge to the Commissioner of Police.

Every driver who shall wilfully neglect for three days to deliver such expired license and badge to the said Commissioner, and also every person who shall use, or wear, or fraudulently detain any such expired license or badge, and every person to whom any expired ticket or badge has been delivered who lends, gives away, mortgages or sells such badge to any other person and every person who detains, wears or uses any license or badge of any other person shall for every such offence be liable to a penalty not exceeding twenty rupees, and in default of payment to rigorous imprisonment for a period not exceeding one month.

27. Every person who shall for the purpose of deception use or wear any badge resembling or intended to resemble any badge granted under the authority of this Act, shall for every such

offence be liable to a penalty not exceeding fifty rupees, or in default of payment to rigorous imprisonment for a period not exceeding two months.

28. It shall be lawful for any Police officer, or person ^{such judge may be} employed for that purpose by the Commissioner of Police, to seize and take away any expired or counterfeit badge, or any badge in respect of which an offence under section 26 of this Act has been committed whenever the same may be found, and to deliver the same to the Commissioner of Police.

Section 28, Madras Act III of 1879.

[New.]

29. Whenever any driver shall be summoned to appear ^{before any Magistrate} to answer any charge preferred against him under this Act, he shall carry with him his license, and produce the same if required so to do; and any driver who shall on such requisition refuse to produce such license shall, for every such offence, be liable to a fine not exceeding five rupees, or in default of payment to rigorous imprisonment for a period not exceeding seven days.

Section 29, Madras Act III of 1879.

30. It shall be lawful for any Magistrate, on conviction of any driver for any offence under this Act, to endorse on his license the nature of the offence, the date of the conviction and the amount of the penalty inflicted.

Section 30, Madras Act III of 1879.

31. It shall be lawful for any Magistrate before whom any driver is convicted of any offence under this Act or any other Act to revoke the license of such driver, or to suspend the same for such time as the Magistrate shall think proper, and for that purpose to require the driver, or any other person in whose possession such license or the badge thereto belonging shall then be, to deliver up the same.

Section 31, Madras Act III of 1879.

32. Every driver or other person who, being required to produce a license or badge as provided in section 31, refuses or neglects to deliver up such license or badge, shall be liable for every such offence to a penalty not exceeding ten rupees, or in default of payment to rigorous imprisonment for a period not exceeding fourteen days.

Section 32, Madras Act III of 1879.

Section 36, Madras Act III of 1879.

33. The Magistrate shall forward every licence and every badge so delivered up to him in pursuance of this Act to the Commissioner of Police together with a memorandum of his sentence in the case.

Section 30, Madras Act III of 1879.

The Commissioner of Police shall enter the fact of such sentence in the register referred to in section 21, and shall either suspend or cancel such licence according to the sentence of the Magistrate; and if it has been suspended, the Commissioner shall on application, at the end of the time of suspension, redeliver such licence or badge to the person to whom it was granted.

FARES, HIRING, AND PAYING FOR RICKS.

Section 31, Madras Act III of 1879.

34. (1) The owner, attendant, or driver of every hackney carriage shall be entitled to demand and take for the hire of such carriage such fares as may be from time to time fixed and published by the Commissioner of Police with the sanction of Government duly notified in the Port St. George Gazette.

Section 31 (2), Bengal Act 2 of 1891.

(2) No owner or driver shall demand or receive over and above the said fare any sum for hack fare for the return of the carriage from the place at which it was discharged.

Section 31, Madras Act III of 1879.

Provided that any contract entered into between any person to accept a fare lower than the fare so fixed shall be binding.

Section 55, English Town Police Classes Act, 19 and 21 Vic., c. 89.

35. No agreement made with the owner, attendant or driver of any hackney carriage for the payment of more than the fare fixed and published by the Commissioner of Police under this Act shall be binding on the person making the same, and any person, notwithstanding such agreement, may refuse on discharging such hackney carriage to pay any sum beyond the fare so ascertained. If any person actually pay to the driver of any such hackney carriage, whether in pursuance of such agreement or otherwise, any sum exceeding the fare to which such driver was entitled, the person paying the same shall be entitled on complaint to a Magistrate to recover back the sum paid beyond the proper fare and the owner, attendant or driver as aforesaid shall be liable to a fine not exceeding fifty rupees.

36. (1) The owner of every hackney carriage shall at all times keep in his carriage in such position as may be directed by the Commissioner of Police a clear and legible book in the English and Tamil or other vernacular languages containing lists of the rates and fares fixed and appointed for hackney-carriages, of the stands or places at which the same may ply for hire, and tables of such distances, such books shall be prepared and signed by the Commissioner of Police and be issued to all applicants on payment of a fee of eight annas per copy.

(2) In every such book issued to a licensee shall be inserted the number of such carriages in the register and the name in full of the owner.

Every such owner who shall fail to comply with the provisions of this section shall be liable for every such offence to a fine not exceeding ten rupees.

37. Every driver of a hackney carriage shall have with him, when plying for hire, the book prescribed in the last preceding section and shall produce the same when so required by the hire or by any police officer.

Every driver and attendant who shall fail to comply with the provisions of this section shall be liable to a fine not exceeding Rupees ten, and in default of payment to rigorous imprisonment for a period not exceeding fourteen days.

38. The driver of every hackney carriage shall (unless he has reasonable excuse to be allowed by the Magistrate or Commissioner of Police before whom the matter shall be brought in question) drive such carriage to any place to which he shall be required by the hire thereof to drive the same; provided that the distance shall not exceed six miles from the place of hiring.

When any such carriage shall have been hired by time, the driver thereof shall drive the same at a rate of speed not less than such rate as the Commissioner of Police may prescribe in this behalf.

Any such driver failing, without reasonable excuse, to comply with the provisions of this section, shall be liable for every such

Section 36, Madras Act III of 1879.

Section 37, Bombay Act VI of 1883.

Section 32, Madras Act III of 1879 (para. 2).

Section 32, Madras Act III of 1879.

Section 33, Madras Act III of 1879.

Section 33, Madras Act III of 1879.

Section 35, Madras Act III of 1879.

Section 33 (7), Bengal Act 2 of 1884.

Section 35, Madras Act III of 1879.